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09/06/04

Zeichen/Ref./Réf.	Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°. <b>02790633.8-2215 PCT/IB0205674</b>
Anmelder/Applicant/Demandeur/Patentinhaber/Propriétaire/Titulaire <b>Koninklijke Philips Electronics N.V.</b>	

The international search report, or the declaration under Article 17(2)(a) PCT, has been published under Article 21(3) and Rule 48 PCT on 03.06.04. That publication takes the place of the mention of publication of the European search report (Article 157(1) EPC).

The request for examination must be filed within SIX months from the above date (Article 94(2) in conjunction with Article 157(1) EPC). It is not deemed to have been filed until the examination fee has been paid. However, under Article 22 or 39 PCT in conjunction with Article 150(2) and Rule 107(1) EPC, the time limit for filing it does not expire before the end of the 31st month from the filing date (or earliest priority date).

Payment of the designation fees must also be made within the above-mentioned period (Rule 107(1) EPC).

The same applies also for the extension fees.

If the request for examination is not filed in due time, and at least one designation fee is not paid, the European patent application is deemed to be withdrawn (Article 94(3), 79(3) and Rule 108(1) EPC).

For more details see the Guide for applicants Part 2: PCT proceedings before the EPO-"Euro-PCT".

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Reference PHNL020063EP	Application No./Patent No. 02790633.8 - 2215 PCT/IB0205674
Applicant/Proprietor Koninklijke Philips Electronics N.V.	

**Communication pursuant to Rules 109 and 110 EPC**

**(1) Amendment of application documents, especially the claims (Rule 109 EPC)**

The above mentioned international (Euro-PCT) application has entered the European phase, or can do so, once the necessary conditions are fulfilled.

Under Articles 28, 41 PCT, Rules 52, 78 PCT and Rule 86(2) to (4) EPC, the applicant may amend the application documents after receiving the international search report.

**Whether or not he has already done so, he now has a further opportunity to file amended claims or other application documents within a non-extendable time limit of ONE MONTH after notification of the present communication (Rule 109 EPC).**

The claims applicable on expiry of the above time limit, i.e. those filed on entry into the European phase or in response to the present communication, will form the basis for the calculation of any claims fee to be paid (see page 2) and for any supplementary search to be carried out under Article 157(2) EPC (Rule 109 EPC).

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**(2) Claims fees under Rule 110 EPC**

If the application documents on which the European grant procedure is to be based comprise more than ten claims, a claims fee shall be payable for the eleventh and each subsequent claim within the period provided for in Rule 107(1) EPC.

Based on the application documents currently on file, all necessary claims fees have already been paid (or the documents do not comprise more than 10 claims).

All necessary fees will be/have been debited automatically according to the automatic debit order.

The claims fee due for the claims ..... to ..... were not paid within the above-mentioned period.

Any non-paid claims fee, either based on the current set of claims or on any amended claims to be filed pursuant to Rule 109 EPC (see page 1), may still be validly paid within a non-extendable period of grace of **ONE MONTH** after notification of this communication.

If a payment is made for only some of the claims, it must be indicated for which claims it is intended. If a claims fee is not paid in due time, the claim concerned is deemed to be abandoned (Rule 110(4) EPC).

If claims fees have already been paid, but on expiry of the above-mentioned time limit there is a new set of claims containing fewer fee-incurring claims than previously, the claims fees in excess of those due under Rule 110(2), 2nd sentence, EPC will be refunded (Rule 110(3) EPC).

You are reminded that any supplementary search under Article 157(2) EPC will relate only to the last set of claims applicable on expiry of the above time limit AND will be confined to those fee-incurring claims for which fees have been paid in due time.

**The fee for the eleventh and each subsequent claim is EUR 40,00.**

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Van Laar-Rabelink, Bertie

